

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4062

To amend title 38, United States Code, to make certain improvements in the administration of medical facilities of the Department of Veterans Affairs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2009

Mr. ADLER of New Jersey (for himself, Mr. HALL of New York, Mr. FATTAH, Ms. SCHWARTZ, Mr. BRADY of Pennsylvania, Mr. SESTAK, and Mr. WALZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to make certain improvements in the administration of medical facilities of the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans’ Health and  
5 Radiation Safety Act”.

1 **SEC. 2. ANNUAL REPORT ON LOW VOLUME PROGRAMS AT**  
2 **DEPARTMENT OF VETERANS AFFAIRS MED-**  
3 **ICAL FACILITIES.**

4 (a) ANNUAL REPORT.—Subchapter II of chapter 73  
5 of title 38, United States Code, is amended by adding at  
6 the end the following new section:

7 **“§ 7330B. Annual report on low volume programs**

8 “(a) ANNUAL REPORT REQUIRED.—The Secretary  
9 shall submit to Congress an annual report on the low vol-  
10 ume programs at each medical facility of the Department.  
11 Each such report shall contain the evaluation and the  
12 findings of the Secretary with respect to such programs.

13 “(b) LOW VOLUME PROGRAM DEFINED.—For pur-  
14 poses of this section, the term ‘low volume program’  
15 means a program that treats 100 patients or fewer during  
16 a calendar year.”.

17 (b) CLERICAL AMENDMENT.—The table of sections  
18 at the beginning of such chapter is amended by inserting  
19 after the item relating to section 7330A the following new  
20 item:

“7330B. Annual report on low volume programs.”.

21 **SEC. 3. USE OF RADIOACTIVE ISOTOPES AT DEPARTMENT**  
22 **OF VETERANS AFFAIRS HOSPITALS.**

23 (a) IN GENERAL.—Subchapter II of chapter 73 of  
24 title 38, United States Code, as amended by section 1,

1 is further amended by adding at the end the following new  
2 section:

3 **“§ 7330C. Use of radioactive isotopes**

4       “(a) TRAINING REQUIRED.—The Secretary shall en-  
5 sure that all employees, including employees employed  
6 under a contract entered into with a non-government enti-  
7 ty, who are employed at a Department hospital where ra-  
8 dioactive isotopes are used in the administration of med-  
9 ical services receive appropriate training on what con-  
10 stitutes a medical event and when and to whom a medical  
11 event should be reported.

12       “(b) FAILURE TO PROVIDE TRAINING.—If the Sec-  
13 retary determines that any Department hospital has failed  
14 to provide the training required under subsection (a), the  
15 Secretary shall ensure that radioactive isotopes are not  
16 used at that hospital for such period as the Secretary de-  
17 termines is appropriate.”.

18       (b) CLERICAL AMENDMENT.—The table of sections  
19 at the beginning of such chapter, as amended by section  
20 1, is further amended by inserting after the item relating  
21 to section 7330B the following new item:

“7330C. Use of radioactive isotopes.”.

22 **SEC. 4. REQUIREMENTS RELATING TO CONTRACTS FOR**  
23 **THE PROVISION OF MEDICAL SERVICES.**

24       (a) EVALUATION OF CONTRACTORS.—The Secretary  
25 of Veterans Affairs shall carry out the following evalua-

1 tions of all medical services provided pursuant to a con-  
2 tract entered into by the Secretary with a non-government  
3 entity:

4           (1) Weekly independent peer reviews of such  
5 services.

6           (2) Written evaluations of the services carried  
7 out by the supervisor or manager of the employee  
8 providing the services.

9           (3) Such other evaluations as the Secretary de-  
10 termines are appropriate.

11       (b) REQUIREMENTS RELATING TO EXTENSION OF  
12 CERTAIN CONTRACTS.—Before any contracting officer of  
13 the Department of Veterans Affairs may extend or renew  
14 any contract entered into by the Secretary of Veterans Af-  
15 fairs and a non-government entity for the provision of  
16 medical services, the contracting officer shall review and  
17 take into consideration the results of the evaluations car-  
18 ried out under subsection (a).

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